

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/528,544 Confirmation No. 3962
Applicant : Winfried K.W. Holscher
Filed : September 26, 2005
TC/A.U. : 3679
Examiner : Ernesto Garcia

Docket No. : 05-196
Customer No.: 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

This is in response to the Notice of Non-Compliant Appeal Brief dated March 6, 2009 setting a one month period for response which expires on April 6, 2009.

Remarks/Arguments begin on page 2 of this paper.

REMARKS/ARGUMENTS

Attached is a Revised Appeal Brief which overcomes the objections raised by the Examiner, namely the brief contains a statement of the status of all claims and contains a revised concise explanation of the subject matter defined in each of the independent claims including references to reference numerals used in the drawings.

Attached hereto is a revised appeal brief in which Appellants have earnestly made an effort to comply with the objections raised by the Examiner. The Examiner is respectfully requested to enter the appeal brief.

No fee is believed to be due by this response. Should the Director determine that a fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

WINFRIED K.W. HOLSCHER

By /Barry L. Kelmachter #29999/

Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants

Telephone: (203) 777-6628 ext. 112

Telefax: (203) 865-0297

Email: docket@bachlap.com

Date: April 6, 2009